

IF A POLITICAL SUBDIVISION FAILS TO ADOPT NOISE ZONE REGULATIONS AS REQUIRED BY THIS PART, THE ADMINISTRATION SHALL ADOPT, ADMINISTER, AND ENFORCE APPROPRIATE REGULATIONS FOR ANY NOISE ZONE WHOLLY OR PARTLY WITHIN THE JURISDICTION OF THE SUBDIVISION.

(B) APPEALS.

AN APPEAL FROM A DECISION OF THE ADMINISTRATION MAY BE MADE IN THE MANNER PROVIDED IN §§ 5-814 AND 5-816 OF THIS SUBTITLE.

REVISOR'S NOTE: This section presently appears as the last two sentences of Art. 1A, §8-803(g).

The only changes are in style.

5-812. PERMITS.

(A) PERMIT REQUIRED.

UNLESS A PERSON HAS AN APPROPRIATE PERMIT ISSUED BY THE POLITICAL SUBDIVISION, THE PERSON MAY NOT, IN A NOISE ZONE ESTABLISHED UNDER THIS PART:

- (1) ESTABLISH OR CONSTRUCT ANY NEW STRUCTURE;
- (2) MAKE ANY NEW USE OF ANY EXISTING STRUCTURE OR LAND; OR
- (3) SUBSTANTIALLY ALTER ANY EXISTING STRUCTURE OR USE OF LAND.

(B) LIMITATION ON GRANTING PERMIT.

A POLITICAL SUBDIVISION MAY NOT GRANT A PERMIT IF THE PROPOSED ACTION WOULD ENLARGE THE SIZE OF OR CREATE AN IMPACTED LAND USE AREA.

(C) ADMINISTRATION TO HAVE OPPORTUNITY TO COMMENT.

BEFORE A POLITICAL SUBDIVISION ACTS ON ANY PERMIT APPLICATION, THE POLITICAL SUBDIVISION SHALL NOTIFY THE ADMINISTRATION OF THE APPLICATION AND GIVE THE ADMINISTRATION AN OPPORTUNITY TO COMMENT.

REVISOR'S NOTE: This section is new language derived from Art. 1A, §8-803(c), and revised to conform, to the extent possible, with the like provisions of §5-611 of this title.

5-813. BOARD OF APPEALS - ESTABLISHMENT AND OPERATION.

(A) PROVISION MAY BE MADE FOR BOARD.

THE LEGISLATIVE BODY OF A POLITICAL SUBDIVISION MAY PROVIDE FOR A BOARD OF APPEALS WITH THE POWER: